UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/48/765
15 December 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 159

# FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

## Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (in advance form) on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (A/C.5/48/44). The report outlines the expenditures for 1993 and the estimated requirements for the biennium 1994-1995.

2. The Advisory Committee recalls that, in its report dated 22 July 1993 (A/47/980), it had brought the question of the financing of the Tribunal to the attention of the General Assembly. Pending a decision of the Assembly as to the mode of financing, the Advisory Committee had concurred in the Secretary-General's request to enter into commitments, under the terms of General Assembly resolution 46/187 of 20 December 1991, in an amount not exceeding $500,000 to provide for the immediate and urgent requirements of the Tribunal.

3. On 14 September 1993, the General Assembly, by its resolution 47/235, endorsed the recommendations of the Advisory Committee, and requested the Secretary-General to submit to the Assembly at its forty-eighth session detailed cost estimates for the International Tribunal, separate from the proposed regular budget for the biennium 1994-1995, to be financed through assessed contributions. Pending a final decision on the manner of the apportionment of the expenses of the International Tribunal, its activities were to be financed through a separate account outside the regular budget. In addition, the Assembly invited Member States and other interested parties to make voluntary

contributions to the International Tribunal, both in cash and in the form of services and supplies.

4. The Advisory Committee notes that, to date, pledges amounting to $3 million have been recorded in the trust fund established by the Secretary-General for that purpose.

5. As indicated in paragraph 50 of the report of the Secretary-General (A/C.5/48/44), efforts to identify appropriate office space in The Hague continue; the Advisory Committee trusts that every effort will be made to acquire suitable premises at the most economical rates whether in The Hague, or elsewhere.

6. In paragraphs 12 to 22 of the Secretary-General's report, the Advisory Committee notes the status of activities and resource requirements of the International Tribunal for 1993. The Committee notes that the total expenditure incurred with regard to these activities is $450,800.

7. Estimated requirements for the biennium 1994-1995 are given at $33,200,000 and details are indicated in paragraphs 23 to 56 of the report of the Secretary-General. The Advisory Committee notes, however, that a number of the items against which resources have been requested have been included in the report on a provisional basis. As such, the Advisory Committee understands that provision for items, such as the Defence Counsel and travel of accused and witnesses, would not be required, if at all, until well into the second half of the biennium.

8. Under the circumstances and pending the final decision of the General Assembly on the mode of financing of the Tribunal, the Advisory Committee recommends that the Secretary-General be authorized to enter into commitments not exceeding $5.6 million for the first six months of 1994 as follows:

| | $US |
|---|---|
| The Chambers | 1 314.6 |
| Office of the Prosecutor | 1 780.0 |
| The Registry | 1 174.2 |
| Programme support | 1 325.2 |
| TOTAL | 5 594.0 |

9. This authority should be granted without prejudice to such recommendations as the Advisory Committee may make to the General Assembly and the decisions that the Assembly takes thereon with regard to administrative matters, including the location of the Court, the levels and numbers of staff and the conditions of service of judges and staff.

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